GREATER MANCHESTER POLICE

Adoption Leave

Policy

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1. Policy Statement

Greater Manchester Police (GMP) is committed to supporting all officers and staff with their right to a family life. We recognise and respect that there are times when officers and staff will need time away if they choose to adopt a child(ren). We're committed to supporting staff during adoption leave and to promoting a healthy work-life balance.

1.1 Aims

The aims of this policy are to:

- give you a clear understanding of adoption leave entitlement, and
- explain the procedure you need to follow if you want to make an application for adoption leave.

2. Scope

This policy applies to all police staff and police officers, irrespective of your length of service or the number of hours worked each week.

Where we refer to 'staff' in this policy, it also applies to officers unless we say otherwise.

This policy applies to the primary adopter of the child, for those parents in a surrogacy situation and for adopters who look after children as part of a foster to adopt arrangement. If you have a partner, they may be entitled to paternity leave.

3. Terms and Definitions

Adoption

Where we refer to 'adoption' this means where a child has been newly matched with you by an adoption agency. This can include an adoption from overseas where this is approved by the UK authorities. The following circumstances don't count as adoption:

- A step parent adopting their partner's child, and
- special guardianships.

Standard Adoption Leave

This is the first week of adoption leave (police officers only)

Week

A continuous period of 7 calendar days, from Sunday to Saturday.

Matching Date

The date you're told by the adoption agency that you've been matched with a child.

Matching Week

The week you're told by the adoption agency that you've been matched with a child.

Matching Certificate

The document that the adoption agency gives to you which details:

- the contact details of the adoption agency
- the date on which you were notified that you had been matched with a child
- the date on which the agency expects to place the child with you.

Official Notification

If you're adopting a child from overseas, this is a letter from the relevant domestic authority to confirm that you've been approved as a suitable adoptive parent. In this policy the week you receive this notification is considered to be your matching week.

Full Pay

Your 'full pay' will be based on your average weekly earnings over the eight week period prior to the last pay day before your matching week.

Statutory Adoption Pay (SAP)

The amount of money set by the government paid during adoption leave. You can find out the current amount on the direct.gov.uk website.

SAP1 Form

The form we need to complete for you, if you're not eligible for SAP. The form is available from direct.gov.uk website.

Keeping In Touch (KIT) Days

Days worked during your adoption leave. The maximum number is 10.

Shared Parental Leave

Adoption leave you wish to share with your partner.

Curtailment Notice

Notice that you wish to bring your adoption leave to an end to opt into the Shared Parental Leave scheme.

Neonatal Care

Medical care received in a hospital or, following hospital discharge, in another place where the child remains under consultant-directed care given by health professionals, including palliative or end-of-life care.

4. Rights and Responsibilities

Responsibility of Strategic Resourcing Branch

The Head of Strategic Policy and People Relations is responsible for developing an Adoption Leave Policy that supports the work-life balance of staff and our operational needs.

Responsibility of Greater Manchester Shared Services

Greater Manchester Shared Services (GMSS) will confirm to staff their entitlement to adoption leave and pay. Where necessary, GMSS will advise managers on the process for dealing with applications for adoption leave.

Responsibility of Managers

Managers are responsible for treating staff sensitively, fairly and in line with this policy.

Managers are responsible for ensuring any agile working equipment is returned to the IS Branch via the IS Surgery/HQ; if the member is to be absent for 3 months or more.

Responsibility of Staff

Staff should follow the policy when submitting requests for adoption leave and give as much notice as possible. If staff take a period of adoption leave for 3 months or more, they must return any agile working equipment assigned to them to the IS Branch via the IS Surgery/HQ before they take the leave.

5. Principles

5.1 Entitlement

You're entitled to adoption leave regardless of how long you have worked for us.

You can have up to 52 weeks adoption leave.

More than one child

You're only allowed one period of adoption leave regardless of the number of children you adopt at the same time. However, where another child is placed with you at a later date, under a separate matching certificate; you'll be entitled to another period of adoption leave. When your second period of adoption leave starts, your first period of adoption leave will end.

5.2 Starting Adoption Leave

Adopting a child from the UK

You can start your adoption leave on:

- the date of the child's placement, or
- a date you choose which is up to 14 days before the date you expect the child to be placed with you.

Adopting a child from overseas

If you adopt a child from overseas you can start your adoption leave on:

- the date the child arrives in the UK, or
- up to 28 days after the child arrives in the UK.

5.3 Sharing Adoption Leave

You must take the compulsory 2 weeks leave following the placement of your child. Thereafter, you may choose to share up to 50 weeks of your adoption leave with your partner.

To do this, you must bring your adoption leave to an end and opt into the Shared Parental Leave scheme. Please refer to the Shared Parental Leave policy.

5.4 Occupational Adoption Pay

Police Officers

1. If you have less than 26 weeks continuous service at the end of your matching week you'll be entitled to:

    - Week 1 Full pay
    - Week 2 – 52 Unpaid Leave

2. If you have between 26 weeks and 1 year continuous service at the end of your matching week you'll be entitled to:

    - Week 1 Full pay
    - Weeks 2 - 39 Statutory Adoption Pay (SAP)
    - Weeks 40 - 52 Unpaid.

3. If you have 1 year or more continuous service at the end of your matching week you'll be entitled to:

- Weeks 1 - 26 Full pay
- Weeks 27 - 39 Statutory Adoption Pay (SAP)
- Weeks 40 - 52 Unpaid.

You can choose to have the final five weeks of full pay (weeks 22-26) spread out over 10 weeks, and instead receive half pay plus half rate SAP over weeks 22-31. If you want to do this you must let Greater Manchester Shared Services (GMSS) know when you apply for adoption leave, otherwise we'll pay you full pay during weeks 1-26.

Police Staff

1. If you have less than 26 weeks continuous service at the end of your matching week you'll be entitled to:

    - Week 1 – 52 Unpaid Leave (you may be able to claim a social security benefit, contact the Department for Work and Pensions for more information)

2. If you have between 26 weeks and 1 year continuous service at the end of your matching week you'll be entitled to:

    - Weeks 1 - 39 Statutory Adoption Pay (SAP)
    - Weeks 40 - 52 Unpaid.

3. If you have 1 year or more continuous service at the end of your matching week you'll be entitled to:

    - Weeks 1 - 26 Full pay
    - Weeks 27 - 39 Statutory Adoption Pay (SAP)
    - Weeks 40 - 52 Unpaid.

You can choose to have the final five weeks of full pay (weeks 22 - 26) spread out over 10 weeks, and instead receive half pay plus half SAP over weeks 22 - 31. If you want to do this you must let GMSS know when you apply for adoption leave, otherwise we'll pay you full pay during weeks 1 - 26.

Payments made to you in addition to SAP are made on the understanding that you will return to work for at least one month after your adoption leave ends. If you don't we'll reclaim these additional payments from you

We won't pay you more than full pay if the combined amount of half pay plus half SMP exceeds this.

NB: If you qualify for SAP and a second child is placed with you, under a separate matching certificate; this is classed as a separate arrangement. You will be entitled

to SAP from the date the second child is placed with you. Payment of SAP for the first child will continue to be paid.

5.5 Eligibility for Statutory Adoption Pay (SAP)

To be eligible for SAP you must:

- have at least 26 weeks service with us at the end of your matching week, or if adopting from overseas the point you reach 26 weeks service, and
- have normal pay which is as much as the lower earnings limit for National Insurance Contributions. This can be found on the direct.gov.uk website.

The amount of adoption pay we'll pay you depends on your length of continuous service. We'll write to you and tell you what we'll pay you. All payments will have tax, national insurance and pension contributions deducted.

If you're not eligible for adoption pay there may be other benefits you can claim. You should discuss this with your adoption agency.

5.6 Equipment

If you take a period of adoption leave for 3 months or more, all equipment assigned to you must be returned to the IS Branch via the IS Surgery/HQ. This will be re-assigned to you when you return following adoption leave.

5.7 Reckonable Service - Police Officers

We count 52 weeks of adoption leave as service in your rank for the purposes of pay, leave and part of any period of probation.

5.8 Contract of Employment - Police Staff

You'll continue to be employed throughout your adoption leave, unless you resign or your contract comes to an end for other reasons. However, during your adoption leave, you won't continue to receive pay other than that described in the Adoption Pay section above.

When you take time off under this policy, this period will also count as service for the purposes of pay, leave or redundancy payment calculations.

5.9 Right to Return to Work – Police Staff

You're entitled to return to the same job, on the same terms and conditions as if you hadn't been absent. In exceptional circumstances, for example redundancy, we will offer you a suitable alternative vacancy where one exists, so long as:

- it's suitable for you, and
- the work, location and you terms and conditions aren't substantially less favorable than your old job.

Please see the Redeployment Procedure for more information.

5.10 Disruption to placement

If your adoption leave has started and the adoption doesn't go ahead or is disrupted, your adoption leave will end 8 weeks later. However, you may give us notice that you wish to return earlier.

5.11 Keeping In Touch (KIT) Days

The maximum number of 'Keeping in Touch' days you can work without bringing your adoption leave to an end is 10. You can take a KIT day to attend a training course or event, or to meet with your team for an update. There are financial implications if you exceed 10 KIT days: if you work more than 10 KIT days, you will lose a week's SAP for any week in which you do some work, even if it's only for one day.

You don't have to attend KIT days but many people find it makes returning to work easier.

We'll pay you for any hours worked based on your salary in addition to your SAP for that week. However, this will be off set against your full time salary for the days you work within that week. Except for police officers who attend a KIT Day whilst on full pay, who will be paid for the hours worked after your full pay period.

5.12 Court Attendance

You may be required to attend court whilst on adoption leave. However, you can give details of your adoption leave on the court availability sheets.

We'll pay you your normal pay for a full day if you attend court, but this won't count as a 'Keeping in Touch' day. You will also receive a day off in lieu when you return to work.

If you attend court, you can claim travel and other expenses back, as long as you provide receipts in the normal way.

5.13 Annual Leave and Bank Holidays

Annual leave and bank holidays accrue during adoption leave.

You have the option to take this leave prior to your return to work or add them to your current leave entitlement and use them within the first 12 months following your return-to-work date.

You may apply to take the leave to support a gradual return to work or use them to support childcare arrangements.

5.14 Appointments

You're entitled to paid time off for appointments during the adoption process. However, you should show evidence of appointments if asked.

If you're the primary adopter's spouse, civil partner or co-habiting partner and have or expect to have responsibility for the child's upbringing, you're entitled to paid time off to attend compulsory appointments, where it's not possible to work around your shifts.

If you're a prospective adopter through surrogacy and wish to attend the medical appointments of your surrogate then you're entitled to paid time off to attend the appointments.

This is regardless of your length of service with us.

5.15 Neonatal care

If your baby receives neonatal care for more than seven continuous days before they reach 28 days old (counted from the day after the neonatal care started), you may be eligible for neonatal care leave. Please see the Neonatal Care Policy for more details.

5.16 Essential Car Allowance

If you've an essential car user you'll receive the lump sum for the whole of your adoption leave.

5.17 Car Loan Scheme

If you have a car loan at the time of starting your adoption leave, the deductions will continue to be made whilst you're on adoption leave. During any unpaid adoption leave we'll send an invoice to your home address for the required amount.

5.18 Cycle Scheme

Please refer to the Cycle Scheme.

5.19 Childcare Payments – Salary Sacrifice

If you're in the scheme then you should contact Greater Manchester Shared Services (GMSS) to discuss your continuing membership during your adoption leave.

5.20 Pensions

Whilst you're on 'paid' adoption leave we'll continue to deduct your pension contributions from the salary you receive. When your pay reduces we'll still deduct your full contribution.

Whilst on 'unpaid' adoption leave your contributions will cease. This means that you'll lose membership for this period unless you repay contributions.

Police Staff

If you wish to repay your pension contributions on return from adoption leave you must elect to do this within 30 days of the end of your adoption leave. Please contact Greater Manchester Pension Fund on xxxx xxx xxxx and they'll send you a P38 pension form which you should complete and send to GMSS.

Police Officers

If you wish to repay your pension contributions you must elect to do this within 1 month of the end of your adoption leave. Please contact XPS on xxxxx xxxxxx or via email at xxxxxxxxxxx.

5.21 Surrogacy – Time Off

If you go through fertility treatment like IVF in order to achieve a successful pregnancy in a surrogate, then special leave as appropriate in the circumstances will apply. Please see the Fertility Treatment Toolkit for more information.

If you give birth as a surrogate you're entitled to full maternity leave, regardless of whether or not you're caring for the baby at any point during that time. Please see the Maternity Policy for more information.

Section 5.15 details information about attending medical appointments.

5.22 Surrogacy – Miscarriage or Stillbirth

In the sad event of the surrogate mother experiencing a miscarriage then you as the prospective parents will be eligible for special leave.

In the case of a stillbirth or death shortly after birth, you will be eligible for adoption leave and parental bereavement leave. Further details are available in the Pregnancy Loss Policy.

6. Procedure

6.1 When and how to Apply for Adoption Leave

Adopting a child from within the UK

You should apply, using Adoption Leave Form, for adoption leave within 7 days of receiving your matching date or as soon as possible after this date. You must provide Greater Manchester Shared Services (GMSS) with:

- the date the child is expected to be placed with you
- a copy of your completed Adoption Leave form, and
- a copy of your matching certificate.

Adopting a child from overseas

You should apply, using the Adoption Leave Form, for adoption leave within 28 days of receiving your official notification and 28 days before you wish your leave to start. You must provide Greater Manchester Shared Services (GMSS) with:

- the date you received official notification
- the date the child is expected to arrive in the UK
- a copy of your completed Adoption Leave form and

- a copy of your official notification.

Confirmation

We'll write to you within 28 days, to confirm your adoption leave entitlements and the date we expect you to return from adoption leave.

You can change the date you plan to start your adoption leave as long as you give us at least 28 days notice.

6.2 Adoption Leave Contact Agreement

Before you start adoption leave your line manager will meet with you to discuss the contact you'd like to have during your adoption leave, to agree who will be making that contact and the methods to be used. The method and frequency of contact should be confirmed at least 4 weeks before you are due to go on adoption leave by completing the Contact Agreement Leave form

If your line manager changes during your adoption leave, your new line manager will receive a copy of your Contact Agreement Leave form

6.3 Shared Parental Leave

If you wish to share your adoption leave you will need to bring your adoption leave to an end. Please refer to the Shared Parental Leave Policy.

6.4 Keeping in Touch Days

If you arrange a KIT day with your manager, your manager will complete a kit day form and submit it to GMSS, so that you can be paid for the hours that you've worked.

Your manager will keep a record of the number of KIT days you have taken and inform GMSS, making sure you don't exceed 10 KIT days.

You should also keep your own record of the number of KIT days you have worked to make sure you don't work more than 10 KIT days.

6.5 Returning to work after Adoption Leave

We'll assume that you'll return to work at the end of your adoption leave. If you wish to change your return to work date and you're a police officer you must give GMSS 28 days' notice. If you're police staff you must give 8 weeks' notice. You must also tell your manager.

Your line manager will arrange a face to face meeting to discuss your return to work and complete the New Parent Return to Work Plan. The aim of the plan is to support you in your return to work and make this transition as smooth as possible.

If you're a police officer, your manager will let the Resource Management Group know the date you're coming back. They'll then let you know what post you'll be returning to and your new shift pattern.

You can give your manager more advance notice of your return to work if you want to know your shift pattern earlier, for example, to arrange childcare.

6.6 Phased return to work

If you wish you can return to work on a phased basis over four weeks. The phased return can be adapted to your specific needs. The phased return should start with a minimum of 50% of working hours in week 1, progressing back to working full hours by week 4. The suggested pattern is 50% of working hours in week 1, 75% in week 2, 87.5% in week 3 and 100% in week 4. This pattern can be altered or extended to suit your individual needs.

If a phased return is required for a longer period than the recommended four weeks, you will be referred to Occupational Health for advice on the extension.

6.7 Using your accrued annual leave and bank holidays

Using your accrued annual leave and bank holidays may enable you to extend further your return to work on a phased basis. If you wish to use your leave in this way we will try to support your request wherever possible. Please discuss requests with your line manager.

6.8 Flexible Working

If you wish to apply to return to work on a flexible working pattern you should discuss this with your manager as early as possible, ideally three months before your return. Please see the Flexible Working Policy for more information.

6.9 Resigning

If you decide not to return to work, you should notify your manger immediately. You'll need to give notice in line with your terms and conditions and complete a Leaver Form.

6.10 Appeal Rights

If you're not satisfied with the application of this policy, you should raise the matter with your manager in the first instance. If you're still not satisfied, you can raise a complaint under the Grievance Policy.

7. Associated Documents

GMP Forms

Adoption Leave Form

Contact Agreement Leave form

New Parent Return to Work Plan

Flexible Working Application Form – Police Officers

Flexible Working Application Form – Police Staff

Leaver Form

GMP Policies

Taking Time Off Policy

Paternity Leave Policy

Neonatal Care Policy

Shared Parental Leave Policy

Flexible Working Policy

Pregnancy Loss Policy

GMP Guidance

Adoption Leave Management Toolkit

Shared Parental Leave Management Toolkit

Neonatal Care Management Toolkit

Pregnancy Loss Management Toolkit

Pregnancy and New Parent Mental Health Guidance

8. Statutory Compliance & Consultation

8.1 Statutory Compliance

8.1.1 Equality Act 2010

Due regard has been had to the General Equality Duty. The Adoption Leave Policy promotes equality of opportunity in accessing Adoption Leave. Having a protected characteristic will not impact on a member of staff's eligibility to apply for Adoption Leave. The provisions of this policy don't have a disproportionate impact on any member of staff with a protected characteristic.

The Management Toolkit that accompanies this policy also pays attention to this and outlines additional responsibilities when there is organisational change while a member of their staff is on Adoption Leave.

For more detailed considerations, please see the Equality Impact Assessment.

8.1.2 The General Data Protection Regulation (GDPR) and Data Protection Act (2018)

The policy and procedures are compliant with the Acts and Regulation.

8.1.3. Freedom of Information Act (2000)

This policy could be published immediately, should a request be received under the Freedom of Information Act.

8.2 Consultation

Department	Comments
GMB	Detailed consultation has taken place with GMB on all revisions to the Policy and their views have been taken into account.
UNISON	Detailed consultation has taken place with UNISON on all revisions to the Policy and their views have been taken into account.
Police Federation	The Federation have been consulted on the revisions to the policy and provided their comments which have been taken into account.
Superintendents Association	The Superintendents Association have been consulted on the revisions to the policy and provided their comments which have been taken into account.
Staff Support Networks	The revisions to the policy have been shared with the SSNs and their comments taken into account.